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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/757,986

01/16/2004

Yusuke Shindo

12-039

5001

23400

7590

11/03/2005

POSZ LAW GROUP, PLC  
12040 SOUTH LAKES DRIVE  
SUITE 101  
RESTON, VA 20191

EXAMINER

CHANDRAN, BIJU INDIRA

ART UNIT

PAPER NUMBER

2835

DATE MAILED: 11/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/757,986

Applicant(s)

SHINDO, YUSUKE

Examiner

Biju Chandran

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 January 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5/20/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 1-5 objected to because of the following informalities:

Element numbers from the drawings are shown in the claims.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 5 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. This claim depends upon itself. The examiner has interpreted this claim to depend upon claim 4 for examination purposes.

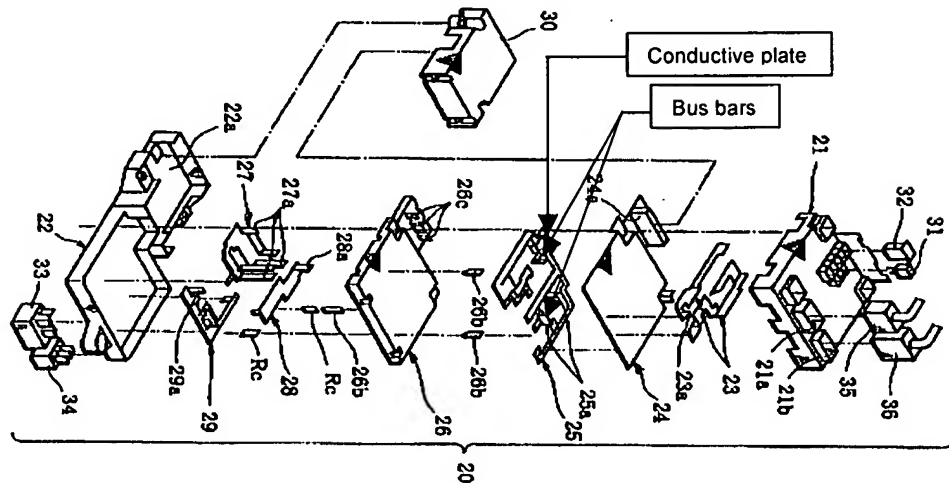
### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2835

3. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murakami (PGPubs US 2002/0010977 A1).



- Regarding claim 1, Murakami discloses an electronic circuit housing (20) formed of a resin (paragraph 0065) having an internal space for containing the electronic circuit (30, 31, 33, 34-36), comprising: bus bars (25a) that are molded (paragraph 0069, line 2) for connecting to the electronic circuit; and a conductive plate (25) that is molded (paragraph 0069, line 2) surrounding said space and arranged on the outer side of said bus bar. Murakami does not explicitly state that the conductive plate and the bus bars are insert molded. If in fact the conductive plate and the bus bars disclosed by Murakami are not insert molded into the housing, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to apply a suitable manufacturing process to the

apparatus to decrease cost and maximize efficiency. Even though the claim is limited by and defined by the recited process, the determination of patentability of the product is based on the product itself, and does not depend on its method of production. If the product in the product-by-process claim is the same as or obvious from a product of the prior art, the claim is unpatentable even though the prior product was made by a different process. *In re Thorpe*, 227 USPQ 964, 966 (Fed. Cir. 1985).

- Regarding claim 2, Murakami further discloses that the conductive plate is a metal plate (paragraph 0069).

4. Claim 3 rejected under 35 U.S.C. 103(a) as being unpatentable over Murakami in view of Ishikawa et al. (PGPubs US 2004/0003664 A1). Murakami discloses all the limitation recited in claim 1. Murakami does not disclose that the conductive plate is at ground potential. Ishikawa et al. disclose an electronic circuit with a conductive plate (36) insert-molded into a housing (22) that is connected to a member at ground potential (middle of paragraph 0117). At the time the invention was made, it would have been obvious to one of ordinary skill in the art to incorporate the grounded conductive plate as taught by Ishikawa et al. in the

electronic circuit housing disclosed by Murakami, to EMI shield the enclosed electronic circuits (end of paragraph 0117).

5. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murakami in view of Funahashi et al (PGPubs US 2005/0223727 A1).
  - Regarding claim 4, Murakami discloses all the limitations of claim 1. Murakami does not disclose that the electronic circuit is a motor driving circuit for an electric compressor. Funahashi et al. disclose electronic circuits ('5', paragraph 0130) that is a motor driving circuit to operate the compression mechanism (2) of an electric compressor ('1', paragraph 0127). At the time the invention was made it would have been an obvious matter to incorporate the compressor motor driving circuits taught by Funahashi et al. in the electronic circuit housing disclosed by Murakami, to shield these circuits from EMI radiation.
  - Regarding claim 5, Murakami as modified by Funahashi et al. discloses all the limitations of claim 4. Funahashi et al. further discloses that the conductive plate (8) is in contact with that part of said electric compressor (1) in which a refrigerant (paragraph 0019), sucked in by said compression mechanism flows (figure 1).

Art Unit: 2835

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Biju Chandran whose telephone number is (571) 272-5953. The examiner can normally be reached on 8AM - 5PM. Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on (571) 272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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**LYNN FEILD**  
**SUPERVISORY PATENT EXAMINER**